

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE NATIONAL ELEVATOR)	
INDUSTRY PENSION, HEALTH BENEFIT,)	
EDUCATIONAL, ELEVATOR INDUSTRY)	
WORK PRESERVATION FUNDS, ELEVATOR)	No. 08 C 03510
CONSTRUCTORS ANNUITY AND 401(K))	
RETIREMENT PLAN,)	Hon. Rebecca R. Pallmeyer
Plaintiffs,)	
-vs-)	
BUDGET ELEVATOR, INC. and JAMES FIORE,)	
Defendants.)	

NOTICE OF MOTION

TO: James Fiore, President
Budget Elevator, Inc.
8240 Rutherford Lane
Woodridge, IL 60517

PLEASE TAKE NOTICE that on the **11th** day of **September, 2008** at **8:45 a.m.**, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Judge Rebecca R. Pallmeyer, or any Judge sitting in her stead in Courtroom 2119 at the Dirksen Federal Building, 219 South Dearborn, Chicago, Illinois, and then and there present ***PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT AGAINST BUDGET ELEVATOR***, a copy of which is attached hereto and served upon you.

/s/ Joseph P. Berglund

PROOF OF SERVICE

I, the undersigned, under penalty of perjury of the laws of the United States of America certify that I served this ***NOTICE OF MOTION and MOTION FOR DEFAULT JUDGMENT AGAINST BUDGET ELEVATOR*** upon the individual listed above at the address indicated therein via United States First Class Mail with postage fully prepaid from 1010 Jorie Boulevard, Oak Brook, Illinois, on the 4th day of September, 2008.

/s/ Joseph P. Berglund

Joseph P. Berglund
Berglund & Mastny, P.C.
1010 Jorie Blvd, Suite 370
Oak Brook, Illinois 60523
(630) 990-0234